

REMARKS

Claims 7-12, 16 and 20 are now pending in the present application. Claims 7, 16 and 20 have been amended and claims 1-6, 13-15 and 17-19 have been canceled. Claim 7 is independent. Reconsideration of this application, as amended, is respectfully requested.

Reasons for Entry of Amendments

It is respectfully requested that the present amendments be entered into the official file in view of the fact that the amendments to the claims automatically place the application into condition for allowance.

In the alternative, if the Examiner does not believe that the application is in condition for allowance, it is respectfully requested that the Examiner enter the amendments for the purposes of appeal. The amendments to the claims simplify the issues on appeal by canceling claims 1-6, 13-15 and 17-19 and by amending independent claim 7 to include the subject matter of dependent claims 13 and 14. Since the Examiner indicated that dependent claim 14 includes allowable subject matter, it is believed that independent claim 7 and dependent claims 8-12, 16 and 20 are now in condition for allowance.

Objection to the Claims

Claim 20 stands objected to because it does not further limit a previous claim.

As the Examiner will note, claim 20 has been amended to depend from claim 7. Accordingly, this claim further limits previous claim 7. Accordingly, the claim objection has been obviated. Reconsideration and withdrawal of this objection are therefore respectfully requested.

Rejection Under 35 U.S.C. § 112

Claims 17 and 18 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

As the Examiner will note, claims 17 and 18 have been canceled without prejudice to or disclaimer of the subject matter contained therein. Accordingly, the Examiner's rejection under 35 U.S.C. § 112, second paragraph has been rendered moot. Reconsideration and withdrawal of this rejection are therefore respectfully requested.

Rejection Under 35 U.S.C. § 103

Claims 1-13 and 15-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Szilagyi et al., USPN 6,396,197. This rejection is respectfully traversed.

At the outset, it is respectfully pointed out that claims 1-6, 13-15 and 17-19 have been canceled without prejudice to or disclaimer of the subject matter contained therein. Accordingly, the Examiner's rejection under 35 U.S.C. § 103(a) has been rendered moot with regard to these claims.

With regard to independent claim 7, this claim has been amended to include the subject matter of dependent claims 13 and 14, which have been canceled. In the Examiner's Office Action, the Examiner indicated that dependent claim 14 included allowable subject matter. Accordingly, independent claim 7 and dependent claims 8-12, 16 and 20 should now be in condition for allowance.

In view of the above amendments and remarks, Applicant respectfully submits that the Examiner's rejection under 35 U.S.C. § 103(a) has been overcome. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Allowable Subject Matter

Claim 14 stands objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant greatly appreciates the indication of allowable subject matter by the Examiner.

As mentioned above, claim 14 has been rewritten in independent form and presented as amended independent claim 7. In view of this, independent claim 7 should be in condition for allowance.

With regard to dependent claims 8-12, 16 and 20, Applicant respectfully submits that these claims are allowable due to their dependence upon allowable independent claim 7, as well as due to additional recitations in these claims.

Favorable consideration and early allowance of the present application are respectfully requested.

CONCLUSION

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently pending rejections and that they be withdrawn.

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact Paul C. Lewis (Reg. No. 43, 368) at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Very truly yours,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

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